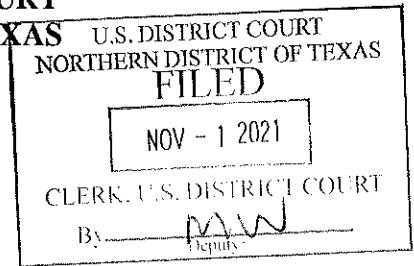


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION



JOE BOND,
TDCJ No. 1155865,

Plaintiff,

v.

BRIAN COLLIER, Executive Director,
TDCJ, *et al.*,

Defendants.

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Civil Action No. 7:21-cv-00067-M-BP

PLAINTIFF'S ANSWERS TO THE COURT'S QUESTIONNAIRE

QUESTION NO. 1: You indicate in your Complaint that you have exhausted all steps of the institutional grievance procedure. Complaint at 3. You were instructed to "attach a copy of your final step of the grievance procedure with the response supplied by the institution." *Id.* The Court cannot see where this copy was attached. The Complaint's attachments appear only to include a copy of the TDCJ's "Use of Force Plan" plus several other blank TDCJ template forms. Please attach a copy of your Step 1 and Step 2 Grievance Forms to these Answers or write in the space below that you did not complete the Step 1 and Step 2 Grievance procedure in connection with the claims you make in this lawsuit.

ANSWER:

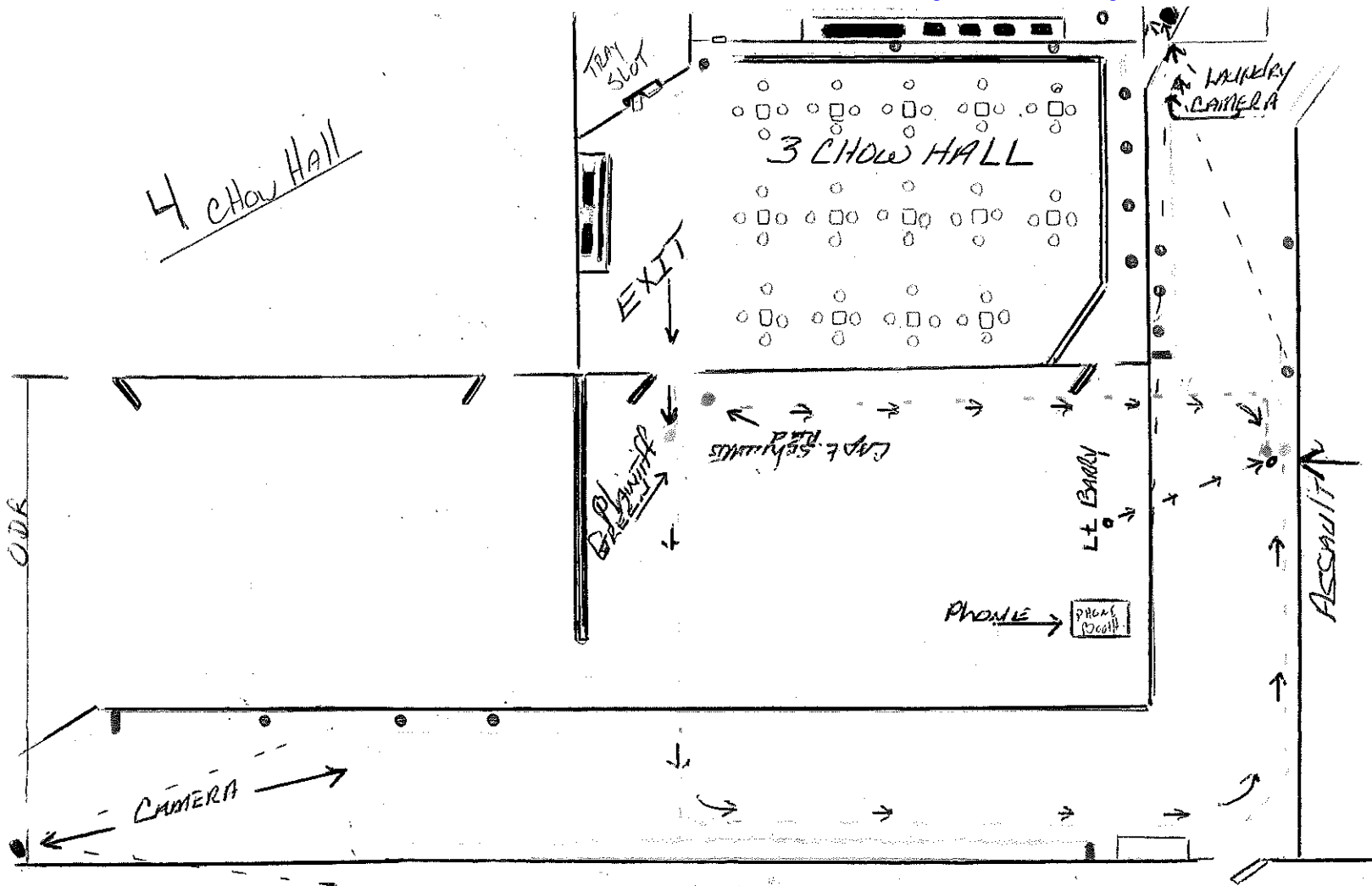
Plaintiff did exhaust his institutional grievance procedure. Please see sealed exhibits filed by plaintiff on 07/02/2021, Docket Number #6 Exhibit numbers 7-8 Grievance number 2021080039.

QUESTION NO. 2: You claim that your "8th Amendment Constitutional Right to be free of cruel and unusual punishment was violated when the use of excessive and unnecessary force was conducted on me." Complaint at 5. Are you claiming that the Defendants' use of force was excessive and unnecessary in light of your non-compliance or resistance to Defendants' orders? If so, please describe how Defendants' use of force was excessive and unnecessary in light of your non-compliance or resistance. If you are not making this claim, please state facts describing what occurred before they used physical force, including any facts showing why they used such force.

ANSWER:

Plaintiff is not claiming the excessive, unnecessary use of force. Assault was due to non-compliance or resistance to Defendants' orders.

On the date of the assault, I was coming out of Three Chow Hall. Please see drawing. I got just past the phone, that's when Capt. Schumatis for NO reason came running up to me screaming saying "Catch the Fuxxing Fence" when I started to obey the order Capt. Schumatis grabbed hold of me throwing me against the fence as he started to throw me to the ground/concrete. Lt. Barry came running up grabbing my legs pulling them out from under me. Note: There was no reason for this use of force. It was nothing less than assault. Please see: VIDEO FOOTAGE in front of Three Chow Hall on February 24th 2021. Also see drawing showing location of cameras and assault. My right arm was broken. I sustained head injuries. I committed NO VIOLATIONS.



I DECLARE CERTIFY AND STATE UNDER PENALTY
OF PERJURY THAT THE FOREGOING DRAWING OF THE
Allred Unit Chow Hall & Hallway AND PLACE OF
ASSAULT IS TRUE AND CORRECT.

(28 U.S.C. § 1746).

Signed This The 28th day of Oct 2021

J. Bond
JOE BOND # 1155865

QUESTION NO. 3: YOU CLAIM THAT YOUR 8th AMENDMENT CONSTITUTIONAL RIGHT TO BE FREE OF CRUEL AND UNUSUAL PUNISHMENT WAS VIOLATED WHEN THE USE OF EXCESSIVE AND UNNECESSARY FORCE WAS CONDUCTED ON ME." COMPLAINT AT 5. FOR EACH DEFENDANT WHOM YOU HAVE NAMED AS A PARTY IN THIS CASE, STATE SPECIFICALLY HOW THAT PERSON USED EXCESSIVE OR UNNECESSARY FORCE ON YOU OR OTHERWISE VIOLATED YOUR CONSTITUTIONAL RIGHTS UNDER THE 8th AMENDMENT.

ANSWER:

CAPT. CARL H. SCHWARTZ VIOLATED MY CONSTITUTIONAL RIGHT BY BREAKING MY ARM & INJURING ME WITHOUT JUST CAUSE I VIOLATED NO TDCJ DISCIPLINARY RULE TO BE ASSAULTED. SEE SEALED EXH. 2, 4, 5, & PAGE 36 DR.'S NOTES. LT. WILLIAM R. BARRY: THIS LT. ASSISTED CAPT. SCHWARTZ IN ASSAULTING ME & CAUSING ME PAIN & HARM & INJURIES & BROKE MY ARM. & I NEVER VIOLATED A GRLOG DISCIPL. RULE. MR. FEZZELL, THIS DEF. HAD A CONSTITUTIONAL DUTY TO INVESTIGATE & REVIEW VIDEO FOOTAGE & PHOTOS OF MY ASSAULT BUT INSTEAD CONSPIRED WITH DEF.'S TO GIVE A FALSE GRIEVANCE REPLY TO COVER UP THESE CLEARLY ESTABLISHED CRIMINAL & CONSTITUTIONAL VIOLATIONS, I VIOLATED NO TDCJ GRLOG OR GRLOT DISCIPL. INFRACTION TO BE ASSAULTED

QUESTION NO. 4: You claim that Defendant Brian Collier's harmful acts or omissions are as follows: "Director of T.D.C.J.-CID." Complaint at 3. Please state any facts showing how Defendant Collier's misconduct gives rise to your claim or how Defendant Collier violated your constitutional rights.

ANSWER:

THIS DEFENDANT IS THE POLICY
MAKER & INVESTIGATIVE AGENCY THAT HAS
A CONSTITUTIONAL & STATUTORY DUTY
TO ASSURE THAT HIS EMPLOYEES DO
NOT VIOLATE INMATE RIGHTS BY
BEATING THEM UP. WITHOUT JUSTIFI-
CATION.

THIS DEFENDANT IS AWARE OF THE
CHECKED & ONGOING RECORDED
HISTORY OF STAFF ASSAULTING IN-
MATES ON A/RED UNIT AND THEN
TRY TO COVER IT UP BY
DESTROYING VIDEO EVIDENCE

QUESTION NO. 5: You claim that Defendant Amber Morath "denied me medical treatment with intent to cause wanton infliction of pain when she seen me in PHD II Cell busted up and refused to help." Complaint at 5. Please state the facts surrounding all instances where Morath denied you medical treatment, including the time and date. Please include the facts you rely upon to show that Morath intended to cause you wanton infliction of pain by denying you medical treatment.

ANSWER:

DEFENDANT AMBER MORATH VIOLATED PLAINTIFFS CONSTITUTIONAL RIGHTS. WHEN DEFENDANT LYNN AMBER MORATH ON THE DATE OF FEB. 27th 2021 WAS PASSING OUT EVENING pill WINDOW CELL SIDE ON 11 Bldg DEFENDANT STOP AT MY CELL TO GIVE PLAINTIFF HIS blood PRESSURE MEDICATION AT THIS TIME PLAINTIFF HAD BEEN 4 DAYS WITH A BROKEN ARM UNABLE TO SEE OR GET TO A PROVIDER. WHEN PLAINTIFF ASK DEFENDANT MORATH TO "PLEASE HELP HIM" DEFENDANT MORATH LOOKED INTO HIS CELL SEEING THE blood UNDER HIS SKIN ACROSS HIS CHEST DOWN INTO HIS ABDOM AREA AND STATED AS SHE WALKED OFF "ITS ALWAYS SOMETHING WITH YOU BOND."

THIS DEFENDANT ACTIONS WAS CLEAR DELIBERATE INDIFFERENCE.

WHEN BOND FINALLY WAS TAKEN TO REGION MEMORIAL (WICHITA FALLS) HOSPITAL WHICH VERIFIED MY INJURIES

QUESTION NO. 6: You claim that Defendant Warden Feazell "had signature authority and gave a false response to cover up a constitutional violation committed by his co. defendants. 'Exhibit 7 & 8.'" Complaint at 4. Please state the facts showing how Defendant Feazell gave a false response as part of a cover up, including the time and date of the defendant's false response and to whom the false response was made. Also, Exhibits 7 and 8 referenced in your Complaint are not attached to it. If you still rely upon these exhibits, please attach them to these answers. If you do not have those exhibits, please state that fact in the space below.

ANSWER:

WARDEN FEAZELL VIOLATED PLAINTIFFS CONSTITUTIONAL
RIGHTS WHEN HE GAVE A FALSE RESPONSE,
DEFENDANT FEAZELL HAD SIGNATURE AUTHORITY WHEN ANSWERING
PLAINTIFFS STEP 1 GRIEVANCE #2021080039 DATED ON OR ABOUT
FEB. 24TH THRU MARCH 24TH 2021 SEE "SEALED EXHIBITS" NUMBER 7 & 8
DEFENDANT FEAZELL GAVE A FALSE RESPONSE WITH INTENT TO HARM
PLAINTIFF WHEN DEFENDANT FEAZELL HAD KNOWLEDGE OF THE
VIDEO FOOTAGE SHOWING PLAINTIFF BEING ASSAULTED, FEAZELL FAILED TO
TAKE ACTION AGAINST HIS CAPT. SCHWARTZ AND LT. BARRY IN
DOING SO DEFENDANT FEAZELL ACTING UNDER COLOR OF LAW INTENTIONALLY
SUBJECTING PLAINTIFF TO MISTREATMENT ABUSED HIS OFFICIAL CAPACITY
PEN CODE § 39.02(a)(1). DEFENDANT FEAZELL VIOLATED RULE #10 OF
THE TDCJ POLICY DIRECTIVE "FALSIFICATION OF RECORDS" STATES CLEARLY
THAT, "AN EMPLOYEE SHALL MAINTAIN AND SUBMIT TRUTHFUL, ACCURATE,
AND COMPLETE RECORDS AS REQUIRED BY TDCJ."
DEFENDANT FEAZELL SUBMITTED A DOCUMENT "STEP 1 GRIEVANCE"
THAT REFLECTED FALSE INFORMATION, FEAZELL SIGNED AND SUBMITTED
HIS FALSE RESPONSE TO PLAINTIFFS GRIEVANCE. SEE: SEALED EXHIBIT #7

QUESTION NO. 7: You claim that Defendant Kenyan Page "gave a false respons[e] to cover up for his medical department and the serious injuries of plaintiff. 'Exhibit 9 & 10.'" Complaint at 4. Please state all facts showing how Defendant Page gave a false response as part of a cover up, including the time and date of the defendant's false response and to whom the false response was made. Also, Exhibits 9 and 10 referenced in your Complaint are not attached to it. If you still rely upon these exhibits, please attach them to these answers. If you do not have those exhibits, please state that fact in the space below.

ANSWER:

FACILITY HEALTH ADMINISTRATOR KENYON PAGE HAD SIGNATURE AUTHORITY WHEN ANSWERING STEP 1 GRIEVANCE. FHA PAGE VIOLATED PLAINTIFFS CONSTITUTIONAL RIGHTS WHEN HE ANSWERED PLAINTIFFS COMPLAINT WITH THE INTENT TO HARM AND OR FRAUD PLAINTIFF. SEE SEALED EXHIBITS NUMBER # 9, 10, 10A, 10C. DEFENDANT KENYON PAGE FALSIFIED A STATE DOCUMENT TO REFLECT FALSE INFORMATION.

THIS DEFENDANT GAVE THE FALSE INVESTIGATIVE STEP 1 REPLY TO TRY TO COVER UP THE DELIBERATE INDIFFERENCE TOWARDS MY HEALTH INJURIES FROM THE ASSAULT TO COVER UP HIS STARK DELIBERATE INDIFFERENCE BY REFUSING TO SEE/TREAT ME FOR 4 DAYS AFTER MY INJURIES FROM ASSAULT.

QUESTION NO. 8: You claim that Defendant Office of Inspector General T.D.C.J. "violated Plaintiff's constitutional rights by giving false response to obtain and cover up asses[s] use of force assault by refusing to obtain and view the video footage that shows Plaintiff was in fact assaulted by the defendants." Complaint at 4. Please state the facts showing how this defendant refused to obtain and view the video footage. Please include the time and date of any request you made to the Office and of any response you received. Please also include the name of any person with whom you interacted concerning this allegation.

ANSWER:

This Agency has the Constitutional and Statutory
duty to investigate when an inmate has been
assaulted by TDCJ staff not turn a blind eye
to evidence or destroy said evidence video footage
This defendant is aware of the ongoing recorded
history of the Alford Unit staff assaulting inmates
This Defendant/Agency is helping to cover up a
Penal Code §22.01 violation "Assault"
See Sealed Exhibits #6 "Correspondence to Cris
Love OIG Austin, Texas
Sealed Exhibit #11, Response from OIG Huntsville
Texas, P.O. Box 4003
This Defendant has a Statutory & Constitutional
duty not to cover up a clearly established
criminal & Constitutional violation.

QUESTION NO. 9: Are you claiming that the "Use of Force Policy" attached to your Complaint caused any alleged violations of your constitutional rights. If so, please describe which of your constitutional rights was violated and how the policy was the moving force behind the alleged violation of your constitutional rights.

ANSWER:

The Use Of Force Bond Policy Was
Submitted To The Court for evi-
dence (R.R.E. 201) To Show The
Policy's Procedures To Be followed

QUESTION NO. 10: You request for relief a "court order agency to make video footage a part of step 1 & 2 process." Complaint at 5. Please explain which "process" this request references and what exactly you want the Court to do to that process.

ANSWER:

I'm Requesting That The Court
ORDER The Video Footage/Photo
Graphics Produced To The Court
And SEALED Due To The PROSEC
IMMUNE Not Being Able To
OBTAIN THESE OR The Court
ORDER DEFENDANT To Allow
Him To Review Them.

QUESTION NO. 11: On October 1, 2021, you filed a Motion to Change Caption. The Motion requests the Court "to direct the Clerk to change the above caption to reflect the proper defendant (Capt. Carl H. Schiwarts)" instead of the father "Capt. Kevin L Schiwarts." Please confirm whether you no longer wish to bring any claims against Defendant Kevin L. Schiwarts. Please also state whether you intend that all references to Defendant Schiwarts in your Complaint are meant to reference Capt. Carl H. Schiwarts.

ANSWER:

I NO LONGER WOULD LIKE TO
BRING ANY CLAIMS AGAINST
KEVIN L. SCHIWARTS.

THIS WAS THE FATHER I WAS
GIVEN THE WRONG NAME.

THESE CLAIMS IN SUIT/STØP-2
IS AGAINST HIS SON CAPT. CARL
H. SCHIWARTS.

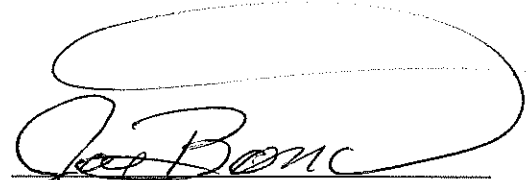
WHICH IS THE PROPER
CAPTION.

VERIFICATION

STATE OF Texas §
COUNTY OF Wichita Falls § Civil Action No. 7:21-cv-00067-M-BP
§

I understand that a false statement or answer to any question in this cause of action will subject me to penalties for perjury. I hereby verify, (certify, declare or state), under penalty of perjury, that the foregoing answers are true and correct. (28 U.S.C. § 1746).

SIGNED on this 28th day of Oct, 2021.


Joe Bond, Plaintiff

JOE BOND
T.D.C. J. - CID No. 1155865
JAMES V. ALKED UNIT
2101 FM 369 N.
IOWA PARK, TEXAS 76367

OCTOBER 28th 2021

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
NORTHERN DIST. OF TEXAS
501 WEST TENTH ST., ROOM 310
FORT WORTH, TEXAS 76102

RE: BOND V. BRIAN COLLIER. TDCJ et al
CIVIL ACTION No. 7:21-cv-00067-M-BP

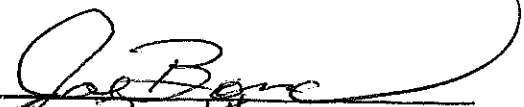
DEAR CLERK,

PLEASE FIND ENCLOSED PLAINTIFFS:

* DISTRICT COURT'S QUESTIONNAIRE TO PLAINTIFF *

PLEASE FILE AND BRING TO THE ATTENTION OF THE COURT.

THANK YOU FOR YOUR TIME IN THIS MATTER.

SINCERELY, 
JOE BOND #1155865
ALKED UNIT
2101 FM 369 N.
IOWA PARK, TEXAS 76367

Joe Bond
D.D.C. F-L ID No. 1135865
James V. Alfred Unit
2101 FM 369 N.
Lowa Park, Texas 76367



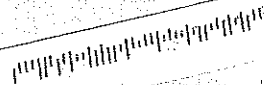
702 0950 0001 977

CLERK OF DISTRICT COURT
JANUARY - 1 2018:26
DEPUTY CLERK

Legal Mail!

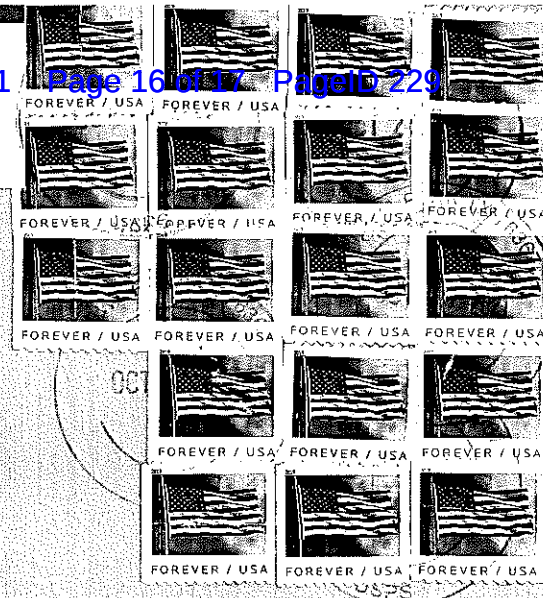
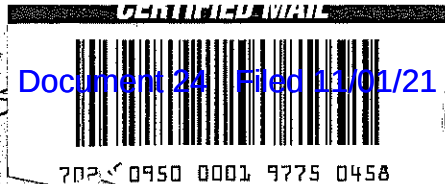
Unit
Office
Porter
501 W
Fort

X-RAY



Bond
C.G.C. ID No. 1135865
es v. Alfred Unit
FM 369 N.
in Park, Texas 76367

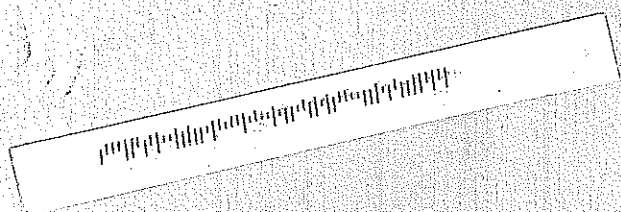
Case 7:21-cv-00067-M-BP Document 24 Filed 11/01/21 Page 16 of 17 PageID 229



Legal Mail!

United States Dist. Court
Office of The Clerk
Northern Dist. of Texas
501 West Tenth St., Room 310
Fort Worth, Texas 76102

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DATE X TV



IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA
Case No. 21-cv-00067-M-BP
Document No. 24
Filed 11/01/21
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